

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

DATE: MAY 09 1989

SDMS Document



67711

SUBJECT: SCP-Carlstadt

FROM: William P. Lawler, P.E., Chief
Environmental Analysis Section (2PM-EI)

TO: Nickie DiForte, Chief
Northern New Jersey Compliance Section (2ERRD-SC)

We have reviewed the draft feasibility study (FS) for the first operable unit of the subject site for compliance with other environmental laws (ARARs), and offer the following comments.

1. The site lies within the floodplain of concern (i.e. the 500-year floodplain as defined by FEMA). The feasibility study acknowledges the need for erosion control measures, and specifically discusses backfilling the site and restoring it to original grade, revegetation and the possible construction of dikes/berms. A floodplain assessment must be completed for the proposed remedial action to ensure that adverse impacts to the floodplain are minimized or mitigated and all treatment units/equipment are protected through appropriate design considerations.
2. Several actions are discussed which would include the placement of fill in wetlands. These actions include the option of discharging treated groundwater directly to the surface water of Peach Island Creek, the construction of dikes/berms, and the placement of a cap. Thus, a wetlands assessment is necessary. It should be noted that these actions must meet the requirements of Section 10 of the River and Harbors Act and/or Section 404 of the Clean Water Act.

Because of the site's location adjacent to Peach Island Creek, in proximity to Eight Day and Walden Swamps, it should also be noted that future studies dealing with off-site contamination must also include a wetlands assessment.

3. There is a possibility of encountering federal endangered/threatened bird species in the vicinity of the site. While we would not expect any proposed remedial action to have a detrimental impact on these species because of their transient nature, informal consultation with the U.S. Fish and Wildlife Service is needed to comply with the Endangered Species Act. We will initiate this consultation for you.

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4. The site is located within the coastal zone as designated by the State of New Jersey. Accordingly, proposals should be reviewed to ensure that they are consistent with the New Jersey State Coastal Management Program. A summary of this review and a consistency determination should be presented in the project's record of decision (ROD).
5. We have conducted an evaluation of the project area for the potential for the discovery of cultural resources and have determined that the proposed remedial actions will have no effect on resources on or eligible for inclusion on the National Register of Historic Places. No cultural resource survey is required at this time.
6. There are no wild and scenic rivers, or environmentally significant agricultural lands in the vicinity of the site. Accordingly, the Wild and Scenic Rivers Act, and the Farmland Protection Policy Act should not be considered as ARARs for this project.

Thank you for the opportunity to comment. We look forward to working with you as this project progresses, to ensure that all environmental concerns are adequately addressed. If you have any questions concerning these comments, please contact Joanne Arenwald of my staff at x6719.

cc: R. Basso, 2ERRD-SC
M. Sprenger, 2ES-SM

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